

## 2013 DRAFT ZONING ARTICLE

## AMEND ZONING BYLAW – WIND POWER INSTALLATIONS

(Two-thirds vote)

To see if the Town will vote to amend the Zoning Bylaw, Section 3.8.3 (Accessory Uses permitted in any Zoning District) be deleting sub-section 3.8.3.1 and replacing it with a new subsection 3.8.3.1 as follows:

3.8.3.1 Wind power generators serving primarily a PRINCIPAL USE or USES on the same LOT subject to the applicable dimensional standards in the zoning district in which it is located. If free-standing, it shall be set back from all LOT lines at least the distance that is equal to its overall height. The Board of Appeals may grant a special permit to allow a wind power generator to exceed the maximum height limitations of this Bylaw, but not higher than 100 feet, or to have a setback to a LOT line that is less than its overall height, but not less than 20 feet.

*[Note – Section 3.8.3.1 currently reads:*

*Wind machines designed to serve a PRINCIPAL USE on a LOT may be authorized by special permit from the Board of Appeals provided the Board of Appeals finds that the wind machine is set back from all LOT lines at least the distance equal to the height of the tower from its base on the ground to the highest extension of any part of the wind machine. The Board of Appeals may allow the wind machine to exceed the maximum height limitations established by this Bylaw provided that the setback requirement stated above is met.]*

, or take any other action relative thereto.

### SUMMARY

This article revises the current zoning provisions for small wind power generators as accessory uses, to be allowed by right subject to the standard dimensional regulations for buildings and structures. Up to 100 feet in height would be allowed by special permit. For comparison, healthy mature trees in this region can reach approximately 90 feet in height. The current provision requires a special permit for all wind power generators and no height limit is specified. The article retains the requirements for free-standing generators to observe a setback distance to lot lines that is equal to its height. By special permit the setback may be reduced to not less than 20 feet. This articles only deals with small wind power generators as accessory uses. It does not allow for commercial or industrial scale wind power generation facilities. Acton is not in a region with good exposure for commercial or industrial wind power generators. No wind power generators were installed in Acton in recent years.

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Selectman assigned:

**Board of Selectmen:**

**Finance Committee:**

**Planning Board:**

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